

ASSEMBLY BILL

No. 2124

Introduced by Assembly Member Villines

February 18, 2010

An act to add Section 93.5 to the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 2124, as introduced, Villines. State highways: maintenance or construction: damage to local roads.

Existing law provides that the Department of Transportation has full ownership and control of all state highways and associated property. Existing law, with respect to a detour of state highway traffic onto any other public highway due to construction or otherwise, requires the department to reimburse the agency having jurisdiction over the detour route for all additional reasonable expenses incurred by the agency in maintaining the detour route if those expenses were caused by the detour.

This bill would require the department, with respect to state highway maintenance activity or a state highway construction project undertaken by the department, to be responsible for any damage inflicted on any public highway under the jurisdiction of a local agency from activities associated with the maintenance activity or construction project by the department's own forces or by contractors of the department.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 93.5 is added to the Streets and Highways
2 Code, to read:
3 93.5. The department, with respect to state highway
4 maintenance activity or a state highway construction project
5 undertaken by the department, shall be responsible for any damage
6 inflicted on any highway under the jurisdiction of a local agency
7 from activities associated with the maintenance activity or
8 construction project by the department's own forces or by
9 contractors of the department, including, but not limited to, the
10 hauling of materials.

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